

“Celebrating 99 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California
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BOARD MEMBERS

Ben Carter, President
Butch Hodgkins, Secretary
Teri Rie, Member
John Brown, Member
Emma Suarez, Member
Jared Huffman, Ex Officio Member
Fran Pavley, Ex Officio Member

BOARD STAFF

Jay Punia, Executive Officer
Len Marino, Chief Engineer
Dan Fua, Supervising Engineer
Curt Taras, Supervising Engineer
Eric Butler, Senior Engineer
Lorraine Pendlebury, Staff Analyst
Amber Woertink, Support Staff
Jill Phinney, Support Staff

BOARD COUNSEL

Deborah Smith, Legal Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

Thursday, September 23, 2010 – 8:30 AM
The Resources Building Auditorium, First Floor
1416 Ninth Street, Sacramento, CA 95814

NOTE: THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER.

- 1. ROLL CALL**
- 2.* APPROVAL OF MINUTES – July 23, 2010 Meeting**
- 3.* APPROVAL OF AGENDA**
- 4. PUBLIC COMMENTS (non-agendized items only)**
- 5.* ELECTION OF BOARD OFFICER**
 - Election of Board Vice President
- 6. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES**
(Gary Bardini)
 - Legislative Update (Kasey Schimke)
 - Flood Risk Notification Program Update (Ricardo Pineda)
 - Central Valley Flood Protection Plan Update (Jeremy Arrich)

***action item**

Anyone may upon request obtain a copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

7. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER (*Jay Punia*)

8.* CONSENT CALENDAR

A. Permit No. 18585, City of Fairfield (*Steve Dawson*)

Consider approval of Permit No. 18585 to install a 36-inch diameter water transmission line under the Laurel Creek Bypass in the City of Fairfield. (Solano County)

B. Permit No. 18606, California Department of Water Resources (*Gary Lemon*)

Consider approval of Permit No. 18606 to raise the elevation of an existing fish release pipe, construct a reinforced concrete pad, and regrade the gravel area around the pad on the right (north) bank levee of the San Joaquin River south of Rio Vista near the intersection of Sherman Island East Levee and Sherman Island Cross Roads. (Sacramento County)

C. Permit No. 18586, George Turkmany (*Ali Porbaha / Joo Chai Wong*)

Consider approval of Permit No. 18586 to authorize an existing drinking water well and submersible pump on the right (north) bank of the Stanislaus River south of Manteca at 31011 South Two Rivers Road. (San Joaquin County)

D. Permit No. 18610, Placer County Department of Public Works (*Sungho Lee*)

Consider approval of Permit No. 18610 to replace an existing concrete slab bridge with a single span precast pre-stressed voided concrete slab bridge supported by concrete pile cap abutments supported by cast-in-drilled hole concrete piles across the channel of Yankee Slough south of Sheridan on Dowd Road. (Placer County)

E. Permit No. 18611, Marshall Pylman (*Gary Lemon*)

Consider approval of Permit No. 18611 to remove an existing irrigation pipe and replace it with a new steel pipe up and over the right (west) bank levee of the Sacramento River at River Mile 35.12 in Clarksburg. (Yolo County)

F. Permit No. 18613, Reclamation District 3 (*Steve Dawson*)

Consider approval of Permit No. 18613 to construct a 900-foot-long, 250-foot-wide seepage berm along the landside toe of the left (east) bank levee of Steamboat Slough west of Ryde at River Mile 19.8. (Sacramento County)

G. Permit No. 18621, California Department of Water Resources (*Steve Dawson*)

Consider approval of Permit No. 18621 to construct a 1200-foot-long by 45-foot-deep cement-bentonite slurry wall on the crown of the right (north) bank levee of the San Joaquin River at River Mile 42.3 in Stockton just south of State Route 4. (San Joaquin County)

- Items on the Consent Calendar may be removed at the request of any Board member or person.

H. California Department of Fish and Game, Merced River Ranch Rehabilitation Project – Application No. 18622, Fresno County (*Nancy Moricz*)

Consider the approval of Permit No. 18622 to excavate, fill, regrade and process approximately 56,000 cubic yards of material within the Merced River Designated Floodway east of Snelling.

I. White River/Deer Creek Feasibility Study Letter of Intent (*Efrain Escutia*)

Consider approval of Resolution No. 10-40 to:

1. Approve a Letter of Intent to participate as a non-federal sponsor with the U.S. Army Corps of Engineers and County of Tulare in the White River/Deer Creek Feasibility Study in substantially the form presented to the Board.
2. Delegate to the Executive Officer the authority to sign the Letter of Intent in substantially the form presented to the Board.

J. Frazier Creek Feasibility Study Letter of Intent (*Efrain Escutia*)

Consider approval of Resolution No. 10-41 to:

1. Approve a Letter of Intent to participate as a non-federal sponsor with the U.S. Army Corps of Engineers and County of Tulare in the Frazier Creek Feasibility Study in substantially the form presented to the Board.
2. Delegate to the Executive Officer the authority to sign the Letter of Intent in substantially the form presented to the Board.

K. Rock Creek/Keefer Slough F.S. Letter of Intent (*Efrain Escutia*)

Consider approval of Resolution No. 10-42 to:

1. Approve a Letter of Intent to participate as a non-federal sponsor with the U.S. Army Corps of Engineers and the County of Butte in the Rock Creek/Keefer Slough Feasibility Studies in substantially the form presented to the Board.
2. Delegate to the Executive Officer the authority to sign the Letter of Intent in substantially the form presented to the Board.

9.* HEARINGS AND DECISIONS

A. Sacramento Area Flood Control Agency, Natomas Levee Improvement Program – Application No. 18159-7, Sacramento County (*Nancy Moricz*) – **10:00 AM**

Consider the approval of Permit No. 18159-7 to construct approximately 3.8 miles of raised and strengthened levee adjacent to the landside of the existing levee, and install a cutoff wall and seepage berm where required on the left (east) bank levee of the Sacramento River approximately five miles downstream from the Natomas Cross Canal along the Garden Highway.

- Items on the Consent Calendar may be removed at the request of any Board member or person.

10.* POLICY DISCUSSION

- A. Review of Process Upgrades Proposed for Improving the Response Time and Reducing the Backlog of Encroachment Permit Applications Under Joint Review by the Central Valley Flood Protection Board and the U.S. Army Corps of Engineers. (*Len Marino and Board Member Francis "Butch" Hodgkins*) – **11:00 AM**

LUNCH BREAK

- B. Review of the Board's Encroachment Enforcement Hearing Processes. (*Dan Fua and Debbie Smith, Deputy Attorney General*) – **1:00 PM**

11.* REQUESTED ACTIONS

- A. Tier 1B Revisions to Title 23 of the California Code of Regulations Implementing Recent AB 1165 Legislation Including Delegated Authority to the Executive Officer, Enforcement Actions, Ex-Parte Communications, and General Policy Changes (*Curt Taras and Eric Butler*) – **2:00 PM**
- B. Consider Approval of Staff Recommended Budget and Funding Allocation Plan under the Delta Levees Maintenance Subventions Program for FY 2010-11 (*Mike Mirmazeheri*) – **2:30 PM**
- C. Levee District 1 (LD-1), Star Bend, EIP Project – Operations, Maintenance, Repair, Replacement and Rehabilitation) OMRR&R Agreement Execution Between the Central Valley Flood Protection Board and LD-1 (*Jennifer Stephenson and Jeff Twitchell*) – **3:00 PM**

Consider approval of Resolution No. 10-20 to approve and execute the OMRR&R Agreement for the LD-1 Star Bend EIP Project between the Central Valley Flood Protection Board and LD-1. (A Non-JPA OMRR&R Agreement)

12.* BOARD SPONSORED PROJECTS AND STUDY AGREEMENTS

- A. Lower Cache Creek Feasibility Study Agreements (FCSA & LFCSA) (Yolo County) (*Michael Wright*) – **3:30 PM**

Consider approval of Resolution No. 10-39 to:

1. Approve the Feasibility Cost Sharing Agreement (FCSA) among the United States Army Corps of Engineers, the State of California represented by the Central Valley Flood Protection Board, and the City of Woodland.
2. Approve the Local Feasibility Cost Sharing Agreement (LFCSA) between the Central Valley Flood Protection Board and the City of Woodland.
3. Delegate to the Board President the authority to execute the agreements.

- B. Cache Creek Critical Erosion Repair Project, Yolo County (*Bruce Shaffer*) – **4:00 PM**

Consider sending a Section 408 project modification request to the Sacramento

- Items on the Consent Calendar may be removed at the request of any Board member or person.

District, U.S. Army Corps of Engineers, for proposed critical erosion repairs (setback levees) on the left bank of Cache Creek at Levee Miles 2.8, 3.4, 3.9, and 4.2 (maintained by DWR, Sacramento Maintenance Yard).

13. INFORMATIONAL BRIEFINGS

None.

14. BOARD COMMENTS AND TASK LEADER REPORTS

15. FUTURE AGENDA

16. CLOSED SESSION

- Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board.

17. ADJOURN